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STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
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MICHAEL F. KELLY
COMMISSIONER

JAY BRADSHAW
DIRECTOR

**Investigations Committee Meeting
Wednesday, May 5, 1999
Maine EMS Conference Room, Augusta**

Meeting Minutes

Present: S. Leach, Chair; C. Pillsbury; R. Doughty; S. Hayes; E. Murray

Staff: B. Montejo

Guests: Michael Spadinger

1. CALL TO ORDER - The meeting was called to order at 1:10 p.m.

A. Additions/Deletions to the Agenda -

1. Christopher Reed - Failure to report
2. James Rogers - Convictions; Unlicensed Practice

B. Accept Minutes of April 7, 1999, meeting

The minutes of the April 7, 1999, meeting were reviewed.

Regarding the case of Eric Merrill, the Committee directed that the following sentence be included in the Merrill narrative:

The Committee noted that the licensee had not met the requirements for license renewal during the time in question and was aware of such. Additionally...

MOTION: TO TO ACCEPT THE MINUTES OF THE APRIL 7, 1999, MEETING AS AMENDED, ABOVE (Hayes; Murray -motion carries).

2. INVESTIGATIONS

A. Michael Spadinger- Informal Conference

The committee conducted an informal conference with licensee Michael Spadinger regarding case #99-05. Present for the informal conference were committee members S. Leach, C. Pillsbury, S. Hayes, E. Murray, and R. Doughty; as well as B. Montejo, and licensee Michael Spadinger.

The committee entered executive session at 1:15 p.m. for the purpose of conducting the informal conference and exited executive session at 1:33 p.m. following conclusion of the informal conference.

Committee discussion ensued regarding the investigation of licensee Michael Spadinger and the circumstances involved in this case. The Committee found the licensee's explanation regarding submission of his renewal material to be plausible, and the licensee to be very credible. The Committee noted that the licensee had met the requirements for license renewal prior to the January 1998, expiration of his previous license, and that the licensee took the appropriate steps for renewal of his EMS license once he and his service (who discovered this) became aware of the error. Additionally, the Committee noted that the licensee had participated in few EMS runs with his service and that his participation is totally volunteer.

MOTION: THE COMMITTEE FINDS THAT MICHAEL SPADINGER, MAINE EMS LICENSE #12395, DID NOT WILLFULLY PRACTICE EMS PATIENT CARE WITHOUT A LICENSE FROM FEBRUARY 1, 1998 TO JANUARY 29, 1999; THAT MR. SPADINGER HAD COMPLETED ALL REQUIREMENTS FOR RELICENSURE; THAT THE COMMITTEE FINDS MR. SPADINGER TO BE CREDIBLE AND HIS EXPLANATION PLAUSIBLE; THAT THERE WAS NO HARM TO THE EMS SYSTEM OR THE GENERAL PUBLIC; AND THAT THE CAPE ELIZABETH RESCUE SERVICE BE REQUESTED TO FORWARD A COPY OF THE SERVICE'S POLICY FOR ENSURING THERE IS NO REPEAT OF ANY SUCH OCCURRENCE (Hayes;Murray - motion carries unanimously).

B. William George

The committee reviewed the Investigation Summary regarding case #97-09. Discussion ensued regarding documents obtained during the investigation, a statement received from the instructor, as well as comments from one of the attendees to a member of the Committee. The Committee noted that Mr. George's August 28, 1997, letter of explanation is inconsistent with what is actually on the February 24, 1997, EMS Legal Issues CEH signed student roster.

MOTION: THE INVESTIGATIONS COMMITTEE FINDS THAT WILLIAM GEORGE, MAINE EMS LICENSE #12485, WAS NOT IN ATTENDANCE FOR THE FEBRUARY 24, 1997, EMS LEGAL ISSUES CEH PROGRAM IN QUESTION, AND THAT THE FALSIFICATION OF THIS CEH CERTIFICATE CONSTITUTES WILLFUL VIOLATIONS OF SECTIONS 12(A)(2), 12(A)(12), AND 12(A)(16) OF THE

MAINE EMS RULES (DATED SEPTEMBER 1, 1996); AND THAT THE COMMITTEE DIRECTS STAFF TO SEEK SUSPENSION OF MR. GEORGE'S MAINE EMS LICENSE FOR A PERIOD OF SIX MONTHS. (Hayes;Murray - motion carries with Doughty abstaining).

C. Penobscot Valley Hospital

The Committee reviewed the response received from the service in reference to case # 99-06. Discussion ensued regarding the background of the agreement between the service and the region and the response received from the service.

MOTION: THAT THIS MATTER BE TABLED TO ALLOW THE REGION FOUR EMS OFFICE AND MEDICAL DIRECTOR TIME TO REVIEW THE RESPONSE RECEIVED FROM THE SERVICE. (Hayes;Murray - Motion Carries).

3. OTHER

A. Christopher Reed

B. Montejo reported that Maine EMS has received a letter from licensee Christopher Reed (Maine EMS EMT-Basic License #17719) in which he informed the office of a past conviction which was not disclosed in his 1997 application for licensure to practice EMS patient care.

MOTION: TO INITIATE AN INVESTIGATION OF LICENSEE CHRISTOPHER REED, MAINE EMS LICENSE #17719 REGARDING ALLEGATIONS THAT HE FAILED TO DISCLOSE HIS CONVICTION HISTORY (Hayes;Doughty - Motion Carries).

B. James Rogers

B. Montejo provided the Committee with information that was recently received from Westbrook Rescue regarding the licensee's conduct and recent convictions (past and pending) and possible unlicensed practice.

MOTION: TO INITIATE AN INVESTIGATION OF LICENSEE JAMES ROGERS, MAINE EMS LICENSE #11456, BASED UPON INFORMATION RECEIVED BY MAINE EMS (Hayes; Doughty - Motion Carries)

4. Update

Staff updated the Committee on the 22 cases pending Staff, Committee, Board, or Administrative Court action.

5. NEXT MEETING

A. Set Agenda - To be set prior to meeting

B. Set Date and Time - The next meeting of the Committee will be on June 2, 1999, following the Maine EMS Board meeting.

6. ADJOURNMENT - The meeting was adjourned at 2:50 p.m.

Respectfully Submitted,

Bill Montejo